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4 Attorneys for Defendant,  
WITHERS FOOD SERVICE, INC.

5  
6 UNITED STATES DISTRICT COURT  
7 NORTHERN DISTRICT OF CALIFORNIA  
8

9 RICK FUTIA,

No. CV08 1207-HRL

10 Plaintiff(s),

**CONSENT TO PROCEED BEFORE A  
UNITED STATES MAGISTRATE JUDGE**

11 v.

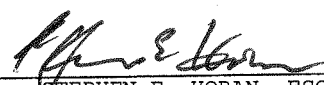
12 WITHERS FOOD SERVICE, INC., et al.

13 Defendant(s).  
14 \_\_\_\_\_/

15 **CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE**

16 In accordance with the provisions of Title 28, U.S.C. Section 636(c), the undersigned party  
17 hereby voluntarily consents to have a United States Magistrate Judge conduct any and all further  
18 proceedings in the case, including trial, and order the entry of a final judgment. Appeal from the  
19 judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit.

20  
21 Dated: MAY 5, 2008  
22 \_\_\_\_\_

  
Signature: STEPHEN E. HORAN, ESQ.

23 Counsel for Defendant Withers Food Service, Inc.  
24 (Plaintiff, Defendant or indicate "pro se")  
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